IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 162 of 2004

Between:

PTG Cooperative Marketing Society Limited. (Regn.No.J 700) rep.by its

President P.Gopalaswamy, R/o 58-9-60, Santapet, Ongole.

..... PETITIONER

AND

1 Indian Oil Corporation Limited, Naspur House, Himayat Nagar, Hyderabad rep.by its General Manager.
2 Dealer Selection Board, C/o Hindustan Petroleum Corporation, Tadepalli Installation, Guntur Distirct rep.by its Secretary, Hindustan

Petroleum Corporation.
3 M.Nageswara Rao, S/o
C/o General Manager, Indian Oil Corporation,
Naspur House, Himayat Nagar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly in the nature of Writ of Mandamus declaring the action of the respondents 1 to 2 in finalising LPG gas dealership of IOC in favour of R3 for Santhapet, Ongole, Prakasam District as illegal and unconstitutional, contrary to rules and consequently direct the respondent to appoint the petitioner society as LPG agency at Santhapet, Ongole, Prakasam District after declaring that the petitioner is more qualified than the respondent No.3.

Counsel for the Petitioner:MR.K.S.MURTHY

Counsel for the Respondent No.1&2: MR.R.RAGHUNANDAN

Counsel for the Respondent No.3: Mr. GANTA RAMA RAO.

The Court made the following :

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ORDER:-

Heard both the learned counsel and at their request, the writ petition itself is taken up for disposal.

Petitioner filed this writ petition inter alia, seeking writ of Mandamus declaring the action of the respondents 1 and 2 in finalizing the dealership in favour of third respondent.

Though several contentions have been urged on both sides, however, this Court has already granted interim directions in W.P.M.P.No.234 of 2004 dated 6-1-2004 directing that an enquiry to be conducted in regard to the dispute of nativity certificate etc. In pursuance thereof, it is represented by the learned counsel on either side that an enquiry has been conducted and the report has been filed vide Ref: VJC/CONFIDENTIAL dated 30-6-2004, which went against the petitioner.

Having regard to the said finding of fact, nothing survives in this writ petition. Accordingly, this writ petition is dismissed. No costs.

7—09—2004.

To

1. The General Manager, Indian Oil Corporation Limited, Naspur House, Himayat Nagar, Hyderabad.
2 The Secretary, Hindustan Petroleum Corporation, Dealer Selection Board, Tadepalli Installation, Guntur Distirct.

3 Two C.D. copies.

Stv/-